

FORM PTO-1390 (Modified)
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

1505/US/4

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/501179

INTERNATIONAL APPLICATION NO.
PCT/US2003/08491INTERNATIONAL FILING DATE
17 March 2003 (17.03.03)PRIORITY DATE CLAIMED
15 March 2002 (15.03.02)

TITLE OF INVENTION

CONTAINER HAVING A RIM OR OTHER FEATURE ENCAPSULATED BY OR FORMED FROM
INJECTION-MOLDED MATERIAL

APPLICANT(S) FOR DO/EO/US

Scott William Middleton, Mark Richard Sinclair, Brian Robert O'Hagan, Patrick Henry Wnek, Terrence Philip Lafferty, Peter Walrave Blaas, Kevin James Hjort, and Patrick James Smith

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 423 775 036 US
23. ☒ Other items or information:

Information Disclosure Statement by Applicant form PTO-1449, photocopy of Inter. Appln. No. PCT/US2003/008491 as published on 25 September 2003 (WO 03/078012 A1), and PCT Notification of Recording of a Change RE Change of Applicant's Name

ATTORNEY'S DOCKET NUMBER

1505/US/4

24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- | | |
|--|------------------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | \$1080.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | \$920.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | \$770.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | \$730.00 |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | \$100.00 |

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$100.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	69 - 20 =	49	x \$18.00
Independent claims	8 - 3 =	5	x \$86.00

\$882.00

\$430.00

Multiple Dependent Claims (check if applicable).

\$0.00

TOTAL OF ABOVE CALCULATIONS =

\$1,412.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$0.00

SUBTOTAL =

\$1,412.00

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

TOTAL NATIONAL FEE =

\$1,412.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) **(check if applicable)**. ☐

\$0.00

TOTAL FEES ENCLOSED =

\$1,412.00

**Amount to be:
refunded**

9

charged

9

- a. ☒ A check in the amount of \$1,412.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1415
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Gary M. Polumbus, Reg. No. 25,364
DORSEY & WHITNEY LLP
 370 Seventeenth Street, Suite 4700
 Denver, Colorado 80202-5647
 Tel.: (303) 629-3400
 Fax: (303) 629-3450

USPTO Customer No.: 20686

cc: Graphic Packaging International, Inc. and IP Docketing-DV

SIGNATURE

Gary M. Polumbus

NAME _____

25,364

REGISTRATION NUMBER

July 9, 2004
DATE

10/501179

DT15 d PCT/PTO 09 JUL 2004

Attorney Docket No. 1505/US/4
Express Mail Label No. EV 423 775 036 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Scott William Middleton, Mark Richard Sinclair,
Brian Robert O'Hagan, Patrick Henry Wnek,
Terrence Philip Lafferty, Peter Walrave Blaas,
Kevin James Hjort, and Patrick James Smith

Appln. No.: Not Yet Assigned

Filed: Herewith

For: CONTAINER HAVING A RIM OR
OTHER FEATURE ENCAPSULATED
BY OR FORMED FROM INJECTION-
MOLDED MATERIAL

Confirmation No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

EV423775036US

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pages);
2. Executed Declaration for Patent Application (4 pages);
3. PCT Notification of Transmittal of the International Search Report or the Declaration and PCT International Search Report (5 pages);
4. International Publication No. WO 03/078012 A1, with International Search Report ;
5. PCT Notification of Transmittal of International Preliminary Examination Report (4 pages);
6. PCT Notification of the Recording of a Change Re: Change of Applicant's Name (1 page);
7. Information Disclosure Statement (2 pages);
8. Information Disclosure Statement (Form PTO-1449) (1 page);
9. Check for \$1,412.00;
10. Certificate of Mailing by Express Mail; and
11. Return Card,

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV
423 775 036 US with the United States Postal Service, addressed to Mail Stop PCT,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 9 day of
July 2004.

Jane Lalis

Mailer

Jan Lalis

Signature of Mailer

DORSEY & WHITNEY LLP

USPTO Customer No. 20686